

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**


JOEL BORING	:	CIVIL ACTION
	:	
v.	:	NO. 19-1833
	:	
STATE FARM FIRE AND CASUALTY	:	
COMPANY	:	

ORDER

AND NOW, this 9th day of August 2019, upon considering Defendant's Motion to dismiss (ECF Doc. No. 13) the second amended Complaint (ECF Doc. No. 12), Plaintiff's Opposition (ECF Doc. No. 16), and for reasons in the accompanying Memorandum, it is **ORDERED** Defendant's Motion (ECF Doc. No. 13) is **GRANTED**:

1. Plaintiff's claims based on the alleged unconscionability of the Endorsement are **DISMISSED with prejudice**; and,

2. Consistent with the accompanying Memorandum, we grant leave one last time for Plaintiff to file a third amended Complaint specifically alleging the ambiguity in the Endorsement which may give rise to a breach of contract claim or specific facts giving rise to bad faith or deceptive conduct claims no later than **August 23, 2019**.



KEARNEY, J.